

MANIPUR



GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 337

Imphal, Friday, October 22, 2010

(Asvina 30, 1932)

**GOVERNMENT OF MANIPUR
SECRETARIAT: EDUCATION DEPARTMENT
(SCHOOL SECTION)**

NOTIFICATION

Imphal, the 21st October 2010

No.30/39/10-SE(S): In exercise of the powers conferred by section 38 of The Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), the State Government hereby makes the rules which may be called the Right of Children to Free and Compulsory Education Rules, 2010 and are published for general information. They shall come into force from the date of publication in the official Gazette. They shall extend to the whole of State of Manipur.

**V. K. DEWANGAN,
Commissioner (Education-S),
Government of Manipur.**

THE RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION RULES, 2010

In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009(35 of 2009), the State Government hereby makes the following rules, namely:-

1. Short title, extent and commencement.-

- (1) These rules may be called the Right of Children to Free and Compulsory Education Rules, 2010.
- (2) They shall come into force from the date of publication in the official Gazette
- (3) They shall extend to the whole of State of Manipur.

2. Definitions: - (1) In these rules, unless the context otherwise requires, -

- (a) "Act" means the Right of Children to Free and Compulsory Education Act, 2009;
 - (b) "Anganwadi" means an Anganwadi Centre established under the Integrated Child Development Scheme of the Ministry of Women and Child Development of The Government of India;
 - (c) "appointed date" means the date on which the Act comes into force, as notified in the Official Gazette;
 - (d) "child" means any child of the age of six to fourteen years and includes a child who has completed five years of age as on 1st September of the year of admission.
 - (e) "Pupil Cumulative Record" means record of the progress of the child based on comprehensive and continuous evaluation;
 - (f) "School Mapping" means planning school location for the purpose of section 6 of the Act to overcome social barriers and geographical distance;
 - (g) "section" means the section of the Act.
- (2) All references to "forms" in these Rules shall be construed as references to forms set out in Appendix hereto.

(3) "Free Education" means no child shall be liable to pay admission, tuition, examination and any other fees or charges or expenses which may prevent him or her from pursuing and completing elementary education and includes providing free textbooks, notebooks @ 1 note book per subject, other writing materials, uniform and midday meals in neighbourhood schools.

(4) 'Implementing Authority of the Act' means the State Project Office, Sarva Shiksha Abhiyan, Manipur and it includes the Secretary (Education-S) Department, Government of Manipur and the Director of Education (S) Manipur.

(5) A child belonging to socially disadvantaged group means and includes a child belonging to Scheduled Caste, Scheduled Tribe, orphans, children with special need and HIV affected/ infected children.

(6) A child belonging to weaker sections means a child belonging to Backward Class, Minorities and includes OCs whose parents' income does not exceed Rs.40000/-per annum.

(7) 'Walking Distance' means the distance covered by a child on foot from centre of his/ her habitation to the school on the socially accepted path.

(8) 'Out of School Child' means a child in the age group of 6-14 who has not completed elementary education (who is either never enrolled in the school or dropped out without completing elementary education). A student of an elementary school absent for more than one month shall also be considered to be an out of school child.

(9) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. Special Training (1) The School Management and Development Committee and Local Authority shall identify children requiring special training and organize such training in the following manner, namely:

(a) The special training shall be based on specially designed, age appropriate learning material, approved by the Academic Authority specified in section 29(1).

(b) It shall be provided in classes held on the premises of the school, or through classes organized in safe residential facilities.

(c) It shall be provided by teachers working in the school, or by teachers specially appointed/ engaged for the purpose.

(d) The duration shall be for a minimum period of three months which may be extended based on periodical assessment of learning progress.

(2) The child shall, upon induction into the age appropriate class, after special training, continue to receive special attention by the teachers to enable him/her to successfully integrate with the rest of the class, academically and emotionally.

4. Areas or limits of neighbourhood. (1) The areas or limits of neighbourhood within which a school has to be established shall be as under –

(a) in respect of children in classes I to V, a school shall be established within a walking distance of one km of the neighbourhood;

(b) in respect of children in classes VI to VIII, a school shall be established within a walking distance of 3 km of the neighbourhood.

(2) Wherever required, the existing schools with classes I to V will be upgraded to include classes VI to VIII. In respect of schools which start from class VI onwards, classes I to V, endeavour will be made to add classes I to V, wherever required.

(3) In areas with difficult terrain, risk of landslides, floods, lack of roads and in general, danger for young children in the approach from their homes to the school, the school will be located in such a manner as to avoid such dangers, by reducing the limits specified under sub-rule (1).

(4) For children from small hamlets, as identified by the State Government, where no school exists within the area or limits of neighbourhood specified under sub-rule (1) above, adequate arrangements, such as

residential facilities and other necessary facilities shall be made, for providing elementary education in a school, in relaxation of the limits specified under sub- Rule (1).

(5) In areas with high population density, establishment of more than one neighbourhood school may be considered, having regard to the number of children in the age group of 6-14 years in such areas.

(6) The State Government/Local Authority shall identify the neighbourhood school(s) where children can be admitted and make such information public for each habitation within its jurisdiction.

(7) In respect of children with disabilities which prevent them from accessing the school the State Government will make appropriate and safe transportation arrangements for them to attend school and complete elementary education. In case of severe disability the Government shall make arrangements for home based education of such children who cannot be safely transported to neighborhood school.

(8) No children shall be barred from attending school on account of social and cultural factors.

5. Duties of State Government and Local Authority (1) A child attending a school of the State Government or the Local Authority referred to in sub-clause (i) of clause (n) of section 2 and a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 in pursuance of clause (b) of sub section (1) of section 12, and a child attending a school referred to in sub-clause (iii) and (iv) of clause (n) of section 2 in pursuance of clause (c) of sub section (1) of section 12 shall be entitled to free text books, writing materials and uniforms:

Provided that a child with disabilities shall also be provided free special learning and support material;

Provided further that a separate notification will be issued by the State Government as regards providing free text books, writing materials and uniforms for child attending a school referred to sub-clause (iv) of clause (n) of Section 2 in pursuance of clause(c) of sub-section (1) of section 12.

Explanation : In respect of the child admitted in pursuance of clause (b) of sub-section (1) of section 12 and a child admitted in pursuance clause (c) of sub-section (1) of section 12, the responsibility of providing the free entitlement shall be of the school referred to in sub-clause (ii) of clause (n) of section 2 and of sub-clauses (iii) and (iv) of clause (n) of section 2, respectively.

(2) For the purpose of determining and for establishing neighbourhood schools, the school mapping exercise and identification of all children, including children in remote areas, children with disabilities, children belonging to disadvantaged groups, children belonging to weaker sections and children referred to in section 4 shall be undertaken, within a period of one year from the appointed date, and every year thereafter updated as on 30th September of each year.

(3) The State Government/Local Authority shall ensure that no child is subjected to caste, class, religious or gender abuse in the school and that no child is denied admission into any school public or private on the basis of caste/class/religion and gender.

(4) No child belonging to a weaker section and/or disadvantaged group shall be segregated or discriminated against in the classroom, during mid day meals, in the play grounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

6 Maintenance of records of children by Local Authority (1) The Local Authority shall maintain a record of all children, in its jurisdiction, through a household survey, from their birth till they attain 14 years. A unique number may be given to every child to monitor his/her enrolment attendance learning achievement and transition to next higher classes.

(2) The record, referred to in sub-rule (1), shall be updated each year.

(3) The record, referred to in sub-rule (1), shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9.

(4) The record, referred to in sub-rule (1) shall, in respect of every child, include-

(a) name, sex, date of birth, (Birth Certificate Number), place of birth;

(b) parents / guardians names, address, occupation;

(c) pre-primary school/Anganwadi centre that the child has attended (up to age 6) or attending;

(d) elementary school where the child is admitted;

(e) present address of the child;

(f) class in which the child is studying (for children between age 6 to 14 years), and if education is discontinued in the territorial jurisdiction of the Local Authority, the cause of such discontinuance;

(g) whether the child belongs to the weaker section within the meaning of clause (e) of section 2 of the Act;

(h) whether the child belongs to a disadvantaged group within the meaning of clause (d) of section 2 of the Act;

(i) details of children requiring special facilities / residential facilities on account of migration and sparse population; age appropriate admission; disability.

(5) The Local Authority shall ensure that the names of all children enrolled in the schools under its jurisdiction are publicly displayed in each school.

(6) The State Government, in consultation with the Secretary (Education-S), Government of Manipur and Director of Education, Manipur and State Project Office (Sarva Shiksha Abhiyan) shall evolve a child tracking system so as to monitor not only the academic progress of children in the schools, their retention and transition.

(7) The State Government shall make appropriate arrangements for tracking the children migrating from one district to another within the State or children of the families migrating from Manipur to other States or children of the families migrating from the other States into Manipur along with their parents.

7 Admission of children belonging to weaker section and disadvantaged group (1) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) to section 12 (1) shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children.

(2) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) to section 12 (1) shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, library and Information Communication and Technology (ICT) facilities, extra-curricular and sports.

(3) The areas or limits of neighborhood specified in rule 4 (1) shall apply to admissions made in pursuance of clause (c) to section 12 (1):

Provided that the school may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) to section 12 (1), extend these limits with the prior approval of the State Government.

8 Reimbursement of per-child expenditure by the State Government (1) The total annual recurring expenditure incurred by the State Government, whether from its own funds, or funds provided by the Central Government or by any other authority, on elementary education in respect of all schools referred to in sub-clause (i) of clause (n) of section 2, divided by the total number of children enrolled in all such schools, shall be the per-child expenditure incurred by the State Government.

Explanation - For the purpose of determining the per-child expenditure, the expenditure incurred by the State Government or local authority on schools referred to in sub-clause (ii) of clause (n) of section 2 and the children enrolled in such schools shall not be included.

(2) Every school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall maintain a separate bank account in respect of the amount received by it as reimbursement under subsection (2) of section 12.

(3) There shall be a committee at the state level comprising of Secretary (Finance), Government of Manipur, Secretary (Education-S), Government of Manipur, Director (Education-S), Manipur and State Project Director (Sarva Shiksha Abhiyan), Manipur for the purpose of assessing per child expenditure incurred by the state and the local authority for reimbursement of expenditure to the schools under section 12(2).

(4) The Committee shall meet within six months after the commencement of the Act and thereafter every year in December to assess per child expenditure for the next academic session.

(5) The State Project Director (Sarva Shiksha Abhiyan), Manipur, on the basis of the decision of the Committee, shall communicate to the District Educational Officer of the District for the reimbursement of the fee against the reservation of child in the schools under section 12 of read with sections 8 and 9: Provided that where such school is already under obligation to provide free education to a specified number of children on account of it having received any land, building, equipment, or other facilities, either free of cost or at a concessional rate, such school shall not be entitled for reimbursement to the extent of such obligation.

(6) The reimbursement will be made directly in the separate bank account maintained by the school in two installments during the academic year. First installment of 50% will be reimbursed in the month of September and balance will be reimbursed in the month of January.

(7) The school, shall in the month of July, submit the list of the students admitted in the school to the District Educational Officer of the district for reimbursement to the school under section 12. The District Educational Officer of the District shall verify or cause to be verified the enrolment of the children before making the reimbursement of the first installment. He/she shall reimburse the final installment in the coming January again after verification of the enrolment of children and attendance of every child subject to a minimum of 80% attendance every month.

(8) The school wise names of the students admitted in the private schools and the specified schools under section 12 shall also be maintained in the electronic form and will be displayed in a manner as determined by the Committee constituted under sub-rule 9 (3) above.

9. Documents as age proof Wherever a birth certificate under the Births, Deaths and Marriages Certification Act, 1886 (6 of 1886) is not available, any one of the following documents shall be deemed to be proof of age of the child for the purposes of admission in schools –

- (a) Hospital / Auxiliary Nurse and Midwife (ANM) register record;
- (b) *Anganwadi* record;
- (c) Declaration of the age of the child by the parent or guardian through affidavit / Local Authority;
- (d) Horoscope.

Normal period of Admission into any school, for the purposes of this Act, shall be from March to April of each year.

10. Extended period for admission (1) Extended period of admission shall be five months from the date of commencement of the academic year of a school.

(2) Where a child is admitted in a school after the extended period, he or she shall be eligible to complete studies with the help of special training, as determined by the head of the school.

11. Recognition of schools (1) Every school, other than a school established, owned or controlled by the State Government or Local Authority, established before the commencement of this Act shall make a self declaration within a period of nine months of the commencement of the Act, in Form No. 1 to the Director of Education(S), Manipur regarding its compliance or otherwise with the norms and standards prescribed in the Schedule and the fulfillment of the following conditions, namely:-

- (a) The school is run by a society registered under the Manipur Societies Registration Act, 1989 (Manipur Act No.1 of 1990) or a public trust constituted under any law for the time being in force;
- (b) The school is not run for profit to any individual, group or association of individuals or any other persons;
- (c) The school conforms to the values enshrined in the Constitution;
- (d) The school buildings or other structures or the grounds are used only for the purposes of education and skill development;

- (e) The school is open to inspection by any officer authorized by the State Government;
- (f) the school furnishes such reports and information as may be required from time to time and complies with such instructions of the State Government as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school;
- (2) Every self declaration received in Form 1 shall be placed by the Director of Education(S), Manipur in public domain within 30 days of its receipt.
- (3) The Director of Education(S), Manipur or his authorized agent shall conduct on-site inspection of such schools which claim in Form No. 1 to fulfill the norms and standards and the conditions mentioned in sub-rule (1) within three months of the receipt of the self declaration.
- (4) After the inspection referred to in sub-rule (3) is carried out, the report shall be placed in public domain within a period of three months and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the Director of Education(S), Manipur in Form No. II within a period of 30 days from the date of inspection.
- (5) The schools conforming to the norms, standards and conditions shall be granted recognition.

Explanation: In case of existence of State Recognition Rules, the recognition shall be issued as per terms and conditions provided therein. Else the recognition shall be issued in Form No.2 appended herein.

- (6) Schools that do not conform to the norms, standards and conditions mentioned in sub rule (1) shall be listed by the Director of Education(S), Manipur through a public order to this effect, and any time within the next two and a half years, such schools may request the Director of Education(S), Manipur for an on-site inspection for grant of recognition.
- (7) Schools which do not conform to the norms, standards and conditions mentioned in sub Rule (1) after three years from the commencement of the Act, shall cease to function.
- (8) Every school, other than a school established, owned or controlled by the State Government or local authority established after the commencement of this Act shall conform to the norms and standards and conditions mentioned in sub-rule (1) in order to qualify for recognition.

Explanation: Recognition shall be granted as per provision laid down under State Recognition Rules, if in existence.

12. Withdrawal of recognition to schools (1) Where the Director of Education (S), Manipur on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognized under rule 11, has violated one or more of the conditions for grant of recognition or has failed to fulfill the norms and standards prescribed in the Schedule, the Director of education(S), Manipur shall act in the following manner,-

- (a) Issue a notice to the school specifying the violations of the condition of grant of recognition and seek its explanation within one month;

(b) in case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the Director of Education(S), Manipur may cause an inspection of the school, to be conducted by a Committee of three to five members comprising of educationists, civil society representatives, media, and government representatives, which shall make due inquiry and submit its Report, along with its recommendations for continuation of recognition or its withdrawal, to the Director of Education(S), Manipur.

(c) on receipt of the report and recommendations of the Committee, the Director of Education(S), Manipur may pass order to withdrawal of recognition. The order of de-recognition shall be operative from the immediately succeeding academic year and shall specify the neighbourhood schools to which the children of the de-recognised schools shall be admitted:

Provided that no order for withdrawal of recognition shall be passed by the Director of Education(S), Manipur without giving the school adequate opportunity of being heard.

Provided further that no such order shall be passed by the Director of Education(S), Manipur without prior approval of the Education(S) Department, Manipur.

13. Composition and functions of the School Management Committee (1) A School Management and Development Committee shall be constituted in every school, other than an unaided school, within its jurisdiction, within six months of the appointed date(1st April 2010), and reconstituted every year.

The strength of the School Management and Development Committee shall be 12 with the following composition:

- a) Nine members from parents/ guardians of the students,
- b) One elected member of local authority,
- c) One local educationist.
- d) Head Master of the school or the senior most teacher in the absence of the Head Master,
- e) At least six members of the Committee shall be women

Explanation: Local Authority is the one as defined under the Act at its lowest form.

(2) To manage its affairs, the School Management and Development Committee shall elect a Chairperson and Vice Chairperson from among the parent members. The Head teacher of the school or where the school does not have a head teacher, the senior most teacher of the school, shall be the ex-officio Member-Convener of the School Management and Development Committee.

(3) The School Management and Development Committee shall meet at least once three months and the minutes and decisions of the meetings shall be properly recorded and made available to the public.

(4) The School Management and Development Committee shall, in addition to the functions specified in clauses (a) to (d) of sub-section (2) of section 21, perform the following functions, for which it may constitute smaller working groups from amongst its Members:

(a) communicate in simple and creative ways to the population in the neighbourhood of the school, the rights of the child as enunciated in the Act; as also the duties of the State Government, Local Authority, school, parent and guardian;

- (b) ensure the implementation of clauses (a) and (e) of section 24 and section 28,
- (c) monitor that teachers are not burdened with non academic duties other than those specified in section 27;
- (d) ensure the enrolment and continued attendance of all the children from the neighbourhood in the school;
- (e) monitor the maintenance of the norms and standards prescribed in the Schedule;
- (f) bring to the notice of the Education(S) Department, Manipur any deviation from the rights of the child, in particular mental and physical harassment of children, denial of admission, and timely provision of free entitlements as per section 3(2);
- (g) identify the needs, prepare a Plan, and monitor the implementation of the provisions of Section 4;
- (h) monitor the identification and enrolment of, and facilities for learning by disabled children, and ensure their participation in, and completion of elementary education;
- (i) monitor the implementation of the Mid-Day Meal in the school;
- (j) prepare an annual account of receipts and expenditure of the school.

(7) Any money received by the School Management and Development Committee for the discharge of its functions under the Act, shall be kept in a separate account, to be made available for audit every year.

(8) The accounts referred to in clause (j) to sub-rule (6) and sub-rule (7) should be operated by the Chairperson/ the Vice-Chairperson and the Convenor of the School Management and Development Committee and made available to the local authority within one month of their preparation.

14. Preparation of School Development Plan (1) The School Management and Development Committee shall prepare a School Development Plan at least three months (Nov/Dec) before the end of the financial year in which it is first constituted under the Act.

(2) The School Development Plan shall be a three year plan comprising three annual sub plans.

(3) The School Development Plan shall contain the following details, namely: -

(a) Estimates of class-wise enrolment for each year;

(b) Requirement, over the three year period, of the number of additional teachers, including Head Teachers, subject teachers and part time instructors, separately for Classes I to V and classes VI to VIII, calculated, with reference to the norms specified in the Schedule;

(c) Physical requirement of additional infrastructure and equipments, calculated with reference to the norms and standards specified in the Schedule;

(d) Financial requirement over the three year period, year-wise, in respect of (b) and (c) above, including for providing special training facility specified in section 4, entitlements of children such as free text books and uniforms, and any other additional financial requirement for fulfilling the responsibilities of the school under the Act;

(3) The School Development Plan should be signed by the Chairperson/Vice-Chairperson and the Convenor of the School Management and Development Committee and submitted to the local authority before the end of the financial year in which it is to be prepared.

15. Minimum Qualification for appointment as a teacher (1) The Academic Authority notified in pursuance of sub-section (1) of section 23, shall, within three months of such notification, lay down the minimum qualifications for persons to be eligible for appointment as a teacher in an elementary school.

(2) The minimum qualifications laid down by the Academic Authority referred to in sub-rule (1) shall be applicable for every school referred to in clause (n) of section 2.

16. Relaxation of minimum qualification appointment as a teacher (1) The teacher requirement shall be estimated as per the norms in the Schedule for all schools referred to in clause (n) of section 2 within the State, within nine months from the commencement of the Act.

(2) In case the State does not have adequate institutions offering courses or training in teacher education, or persons possessing minimum qualifications as laid down under sub-rule (2) of rule 15 are not available in sufficient numbers in relation to the requirement of teachers estimated under sub-rule (1), the State shall request, within one year of the commencement of the Act, the Central Government for relaxation of the prescribed minimum qualification.

(3) If the Central Government issues the Notification specifying the nature of relaxation and the time period, the teachers appointed under the relaxed conditions should acquire the minimum qualifications prescribed by the academic authority notified under sub-section (1) of section 23 within the time period specified in the Notification, but not beyond five years from the commencement of the Act.

(4) After issue of notification indicating minimum qualification as prescribed under rule 15(1), no appointment of teacher for any school can be made in respect of any person not possessing the minimum qualifications prescribed by the academic authority notified under sub-section (1) of section 23 without the notification from Central Government for relaxation of minimum qualifications.

(5) A person appointed as a teacher within six months of the commencement of the Act, must possess at least the academic qualifications not lower than higher secondary school certificate or equivalent.

17. Acquiring minimum qualifications (1) Adequate teacher education facilities shall be provided to ensure that all teachers in schools referred to in sub-clauses (i) and (iii) of clause (n) of section 2, who do not possess the minimum qualifications laid down under sub-rule (2) of rule 15 at the time of commencement of the Act, to acquire such minimum qualifications within a period of five years from the commencement of the Act.

(2) For a teacher, of any school referred to in sub-clause (ii) and (iv) of clause (n) of section 2, who does not possess the minimum qualifications laid down under sub-rule (2) of rule 15 at the time of commencement of the Act, the management of such school shall enable such teacher to acquire such minimum qualifications within a period of five years from the commencement of the Act.

18. Salary and allowances and conditions of service of teachers (1) The State Government shall notify terms and conditions of service and salary and allowances of teachers in order to create a professional and permanent cadre of teachers.

(2) In particular and without prejudice to sub-rule (1), the terms and conditions of service shall take into account the following, namely—

(a) accountability of teachers to the School Management and Development Committee constituted under section 21;

(b) provisions enabling long term stake of teachers in the teaching profession.

(3) The scales of pay and allowances, medical facilities, pension, gratuity, provident fund, and other prescribed benefits of teachers, including those employed for the purpose of imparting special training as specified in section 4, shall be that of regular teachers, and at par for similar work and experience.

In case of teachers of private schools salary and allowances and their terms and conditions of service shall be decided by the school management subject to the legislations and the regulations, if any, for the time being in force.

19. Duties to be performed by teachers (1) In performance of the functions specified in sub-section (1) of section 24 and in order to fulfill the requirements of clause (h) of sub-section (2) of section 29, the teacher shall maintain a file containing the pupil cumulative record for every child including the record maintained while implementing the Learning Enhancement Programme or any other Programmes that may be force, which will be the basis for awarding the completion certificate specified in sub-section(2) of section 30.

(2) In addition to the functions specified in clauses (a) to (e) of sub-section (1) of section 24, a teacher may perform the following duties assigned to him or her, without interfering with regular teaching:

(a) Participation in training programmes;

(b) Participation in curriculum formulation, and development of syllabi, training modules and text book development;

20. Grievance Redressal mechanism for teachers (1) The School Management and Development Committee constituted under section 21 shall be the first level of grievance redressal of teachers of schools specified therein.

(2) School Tribunals shall be constituted at the State, District and Block levels which would act as the grievance redressal mechanism for the teachers.

21. Maintaining Pupil-Teacher Ratio in each school (1) Sanctioned strength of teachers in every school shall be notified by the State Government as the case may be, within a period of six months of the appointed date: Provided that the State Government shall, within three months of such Notification, redeploy teachers of schools having strength in excess of the sanctioned strength prior to the Notification.

(2) If any person of the State Government or the local authority violates the provisions of sub-section (2) of section 25, he or she shall be personally liable for disciplinary action.

22. Academic Authority (1) The State Government shall notify the State Council of Educational Research and Training and Board of Secondary Education Manipur (or its equivalent), as the academic authority for the purposes of section 29.

(2) While laying down the curriculum and evaluation procedure, the academic authority Notified under sub-rule (1) shall (a) formulate the relevant and age appropriate syllabus and text books and other learning material

(b) Develop in-service teacher training design, and

(c) Prepare guidelines for putting into practice continuous and comprehensive evaluation.

(3) The academic authority referred to in sub-rule (1) shall design and implement a process of holistic school quality assessment on a regular basis.

23. Award of certificate (1) The head teachers or the in Charge head teacher of the school issue the certificate of completion of elementary education within one month of the completion elementary education in the form:

Provided that the private school shall stamp prominently on the certificate the number of recognition certificate issued by the competent authority.

School / block/district level within one month of the completion of elementary education.

(2) The Certificate referred to in sub-rule (1) shall—

(a) certify that the child has completed all courses of study prescribed under section 29.

(b) contain the Pupil Cumulative Record of the child and also specify achievements of the child in areas of activities beyond the prescribed course of study and may include music, dance, literature, sports, etc.

24 Performance of functions by the State Commission for Protection of Child Rights (1) As the State does not have a State Commission for Protection of Child Rights, the State Government may take immediate steps to set up the Commission.

(2) Till such time as the State Government sets up the Commission, it shall constitute an interim authority known as the Right to Education Protection Authority (REPA) for the purposes of performing the functions specified in sub-section (1) of section 31, within nine months of the commencement of Act or the constitution of the State Commission for Protection of Child Rights, whichever is earlier.

(3) The Right to Education Protection Authority (REPA) shall consist of the following, namely—

(i) A chairperson who is:-

(a) A person of high academic repute or

(b) Has been a High Court Judge or

(c) Has done outstanding work for promoting the rights of children; and

(ii) Two Members, of whom at least one shall be a woman, from the following areas, from amongst persons of eminence, ability, integrity, standing and experience in—

(a) education;

(b) child health care and child development;

(c) juvenile justice or care of neglected or marginalized children or children with disabilities;

(d) elimination of child labour or working with children in distress;

(e) child psychology or sociology; or

(f) legal profession.

(iii) The National Commission for Protection of Child Rights Rules, 2006 shall, so far as pertains to the terms and conditions, mutatis mutandis apply to Chairperson and other Members of the REPA.

(iv) All records and assets of the REPA shall be transferred to the State Commission for Protection of Child Rights immediately after its constitution.

(v) In performance of its functions, the State Commission for Protection of Child Rights or the REPA, as the case may be, may also act upon matters referred to it by the State Advisory Council.

(vi) The State Government shall enable constituting a Cell in the State Commission for Protection of Child Rights or the REPA, as the case may be, which may assist the Commission or the REPA in performance of its functions under the Act.

25. Manner of furnishing complaints before the State Commission for Protection of Child Rights (1) The State Commission for Protection of Child Rights, or the REPA, as the case may be, shall set up a child help line, accessible by SMS, telephone and letter, which would act as the forum for aggrieved child/guardian to register complaint regarding violation of rights under the Act, in a manner that records her identity but does not disclose it;

(2) All complaints to the helpline should be monitored through a transparent 'alert and action' online mechanism by the State Commission for Protection of Child Rights, or the REPA, as the case may be.

26. Constitution and Functions of the State Advisory Council (1) The State Advisory Council shall consist of a Chairperson and fourteen Members.

(2) The Minister in-charge of the Ministry/Department of School Education in the State Government shall be the ex-officio Chairperson of the Council.

(3) Members of the Council, shall be appointed by the State Government from amongst persons having knowledge and practical experience in the field of elementary education and child development, as under

(a) At least four members should be from amongst persons belonging to SCs, STs and Minorities;

(b) At least one member should be from amongst persons having specialized knowledge and practical experience of education of children with special needs;

(c) One member should be from amongst persons having specialised knowledge in the field of pre-primary education

(d) At least two members should be from amongst persons having specialized knowledge and practical experience in the field of teacher education

(e) Fifty percent of such members shall be from amongst women

(4) The Department of School Education shall provide logistic support for meetings of the Council and its other functions.

(5) The procedure for transaction of Business of the Council shall be as under.

(i) The Council shall meet regularly at such times as the Chairperson thinks fit but three months shall not intervene between its last and the next meeting.

(ii) The meeting of the Council shall be presided by the Chairperson. If for any reason the Chairperson is unable to attend the meeting of the Council, he may nominate a member of the Council to preside over such meeting. Quorum of the meeting of the Council shall be considered complete if at least 50% of its members are present.

(6) The terms and conditions for appointment of Members of the Council shall be as under

(a) Every member shall hold office as such for a term of two years from the date on which he assumes office:

Provided that no member shall hold office more than two terms.

(b) The member may be removed from his office by an order of the State Government on the ground of proved misbehaviour or incapacity, or on the happening of any one or more of the following events, if he

- i. is adjudged an insolvent; or
- ii. refuses to act or become incapable of acting; or
- iii. is of unsound mind and stands so declared by a competent Court; or
- iv. has so abused his office as to render his continuance in office detrimental to the public interest or
- v. is convicted for an offence by a competent Court; or
- vi. is without obtaining leave of absence from the Council, absent from two consecutive meetings of the Council

(c) No Member shall be removed from his office without being given an adequate opportunity of being heard.

(d) If vacancy occurs in the office of Members, whether by reason of his death, resignation or otherwise, such vacancy shall be filled within a period of 120 days by making a fresh appointment in accordance with the provisions of sub-Rule (2).

(e) Members of the Council shall be entitled to reimbursement of travelling and daily allowances for official tours and journeys in accordance with the orders issued by the State Government in relation to non-official members of the Committees and Commissions and such like categories of persons:

Provided the above condition shall not be applicable in respect of members in an ex-officio capacity.

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(ii) The meeting of the Council shall be presided by the Chairman. If for any reason the Chairman is unable to attend the meeting of the Council, he may nominate a member of the Council to preside over such meeting. Quorum of the meeting of the Council shall be considered complete if at least 50% of its members are present.

(f) The terms and conditions for appointment of members of the Council shall be as under:

(a) Every member shall hold office as such for a term of two years from the date on which he assumes office:

Provided that no member shall hold office more than two terms.

(b) The member may be removed from his office by an order of the State Government on the ground of proved misbehaviour or incapacity, or on the happening of any one or more of the following events, if he:

- i. is adjudged an insolvent; or
- ii. refuses to act or become incapable of acting; or
- iii. is of unsound mind and stands so declared by a competent Court; or
- iv. has so abused his office as to render his continuance in office detrimental to the public interest; or
- v. is convicted for an offence by a competent Court; or
- vi. is without obtaining leave of absence from the Council, absent from two consecutive meetings of the Council.

(c) No member shall be removed from his office without being given an adequate opportunity of being heard.

(d) If vacancy occurs in the office of member, whether by reason of his death, resignation or otherwise, such vacancy shall be filled within a period of 120 days by making a fresh appointment in accordance with the provisions of sub-rule (2).

(e) Members of the Council shall be entitled to reimbursement of travelling and daily allowances for official tours and journeys in accordance with the orders issued by the State Government in relation to non-official members of the Committees and Commissions and such like categories of persons.

Provided the above condition shall not be applicable in respect of members in an ex-officio capacity.

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